

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

---

<b>Illinois Commerce Commission</b>	)	
<b>On Its Own Motion</b>	)	
	)	<b>00-0596</b>
<b>Amendment of 83 Ill. Adm. Code 730</b>	)	

---

**REPLY OF SBC ILLINOIS IN SUPPORT OF MOTION FOR STAY**

Illinois Bell Telephone Company (“SBC Illinois” or the “Company”) hereby replies to the responses to SBC Illinois’ Motion for Stay (the “Motion”) filed by the Citizens Utility Board and Illinois Attorney General (“CUB/AG”) and the Staff of the Illinois Commerce Commission (“Staff”).

**I. INTRODUCTION**

In its Motion, SBC Illinois requested that the Commission stay the effectiveness, or postpone enforcement, of the amendments to Section 730.535 (“Interruption of Service”) adopted by the Order dated November 5, 2003 until a final resolution of any applications for rehearing (including the Application for Rehearing filed by SBC Illinois) and any rehearing with respect to those amendments. In the alternative, SBC Illinois requested that the effectiveness of the amendments to Section 730.535 be stayed, or their enforcement postponed, if necessary, with respect to the calculation of penalties under SBC Illinois’ Alternative Regulation Plan pending resolution of SBC Illinois’ Application for Rehearing (“Alternative Stay Request”).

For the reasons discussed in its Application for Rehearing, the Commission can and should revise Section 730.535(b) to replace the CUB/AG method for calculating OOS>24 with Staff Method A based on the existing record in this case without the need to initiate a new proceeding for the purpose of receiving additional evidence on the issues raised in the Application. Moreover, even if the

Commission elects to initiate such a rehearing proceeding (or denies rehearing on the issue of the appropriate OOS>24 calculation method for purposes of Section 730.535), the Commission can, and should, immediately enter an Order on Rehearing confirming SBC Illinois' understanding that new calculation does not apply to the calculation of OOS>24 hours for purposes of penalties under the Alternative Regulation Plan. If the Commission takes either action, SBC Illinois' Alternative Stay Request would be moot.

The Alternative Stay Request, however, is applicable, and should be granted, if the Commission decides to reopen the record for the purpose of considering additional arguments and/or evidence on the issues of (1) whether Section 730.535(b) should be revised to substitute Staff Method A for the CUB/AG Method and/or (2) whether the CUB/AG Method applies to the calculation of OOS>24 for purposes of the Alt Reg Order. In that event, it is imperative that the Commission maintain the status quo while it considers the issues raised in the Application.

## **II. REPLY TO STAFF**

In its Response, Staff takes the position that, if the Commission decides to stay enforcement of the amended Section 730.535 pending rehearing, the stay should be applicable only to SBC Illinois and further limited in the following respects: (i) the stay should apply during the pendency of rehearing only and not during the pendency of any subsequent judicial challenges to the amendments; (ii) the stay should be tailored to require SBC Illinois to report its compliance with the OOS>24 standard under both the currently effective calculation method used by SBC Illinois and the method adopted by the Commission in its November 5, 2003 Order; and (iii) the stay should require a true-up of any OOS>24

penalties that would have accrued but for the stay. SBC Illinois has no objection to these proposed limitations on a stay applicable to SBC Illinois.<sup>1</sup>

### **III. REPLY TO CUB/AG**

#### **A. THE MOTION DOES NOT CONSTITUTE A COLLATERAL ATTACK ON THE ALT REG ORDER**

In its Response to the Motion, CUB/AG focuses primarily on the Alternative Stay Request, arguing that it is a “collateral attack” on the Alternative Regulation Review Order (“Alt Reg Order”) issued on December 30, 2002 in Docket Nos. 98-0252/98-0335/00-0764. In making this argument, CUB/AG interprets the Alt Reg Order as requiring that any changes in the method of calculating the OOS>24 service quality measure adopted in this proceeding for purposes of Part 730 be automatically applied in calculating compliance with the OOS>24 measure for purposes of the Alt Reg Order’s penalty.

CUB/AG’s interpretation of the Alt Reg Order is incorrect. As discussed in SBC Illinois’ Application for Rehearing, the Alt Reg Order indicates that the service quality penalty related to OOS>24 imposed by the Alt Reg Order (i.e., the permanent rate reduction required by the price index) is to be calculated under the existing methodology which, like Staff Method A, excludes emergency outages from the numerator of the OOS>24 calculation, but includes those outages in the denominator. Alt Reg Order, pp. 171-72. A version of the CUB/AG methodology was also considered in the Alt Reg review proceeding. Id. Although the parties debated in that proceeding whether the Part 730 rulemaking could or should resolve the calculation methodology issue, the Commission did not adopt

---

<sup>1</sup> By agreeing to the first limitation listed above, SBC Illinois does not waive its rights to request a future stay of the effectiveness of the new rule during the pendency of any subsequent judicial challenges to the rule in the event that the Commission does not grant the relief requested in the Application for Rehearing.

that approach. Instead, the Commission approved continued use of the existing methodology for purposes of the Alt Reg Plan:

The existing measure and benchmark will be retained. For the moment given the limited input, comparison and other analyses on this question, we will not require any change in the manner in which ‘Act of God’ (weather) exclusions are calculated and reported.

Alt Reg Order at 172.

Choosing to ignore the section of the Alt Reg Order discussed above, CUB/AG argues that “SBC has known since December 30, 2002 that (1) the Commission specifically recognized that the Part 730 rules might differ from the alternative regulation standards and (2) the Alternative Regulation Plan would incorporate those differences.” (CUB/AG Response, p. 3). In support of this argument, CUB/AG quotes the following language, which appears at page 169 (not page 154, as CUB/AG states) of the Alt Reg Order:

For any measures where inadequate data exist, or for which the existing data does not establish a level of performance equal to or exceeding the Commission’s Part 730 rules, it appears reasonable to adopt the standards in the Part 730 rules. To the extent, however, that any such measures or benchmarks are increased in the pending Part 730 rulemaking proceeding i.e., Docket 00-0596, compliance with the increased standard would be expected when the new rules take effect.

CUB/AG misinterprets the above-quoted language. As used in that language, the terms “measure” and “benchmark” do not refer to particular methods of calculating compliance with service quality performance standards. Rather, “measure” refers to a particular service quality standard (e.g., installation within five days, trouble reports per 100 access lines, out-of-service over 24 hours), while the term “benchmarks” refers to the minimum or maximum frequency, in terms of percentage or number of occurrences, with which SBC Illinois is required to meet a particular measure (e.g., at least 90% for

installation within five days, no more than 2.66 trouble reports per 100 access lines, no more than 5% out-of-service over 24 hours). Alt Reg Order at 164-184.

Moreover, the language relied on by CUB/AG is contained in the Commission's conclusion to a subsection of the Alt Reg Order which specifically addressed the issue of how to develop new service quality measures and related benchmarks not already included in the Alt Reg Plan. Alt Reg Order, pp. 165-169. Based on that conclusion, for example, the Commission used 83 Illinois Admin. Code Section 730.540(c) to establish a 90% benchmark for "Missed Installation Commitments," which was a new performance measure for which a benchmark had not previously been developed for purposes of the Alt Reg Plan. Alt Reg Order at 178. Consistent with the above-quoted language, the Commission expressly ruled that the benchmark for the new measure would be "subject to any changes in that benchmark that may result from our review of the service quality rules in Docket 00-0596." Alt Reg Order at 179.

By comparison, the OOS>24 hour performance measure and related benchmark (5%) were already included in the Alt Reg Plan. As the Alt Reg Order expressly states, "all parties favor retention of the measure for OOS>24, along with the existing benchmark of five percent." Alt Reg Order at 171. Accordingly, the language of the Alt Reg Order relied on by CUB/AG, which refers to use of Part 730 as a basis for developing new "measures" and "benchmarks," is not applicable to OOS>24. Moreover, if the Commission had intended that the method of calculating compliance with the OOS>24 measure for purposes of the Alt Reg Plan automatically track any changes to the calculation method adopted for purposes of Part 730, the Commission would have done so explicitly, just as it explicitly referred to potential changes to Part 730 in its discussion of the Missed Installation Commitments performance measure. Alt Reg Order at 176. It did not do so.

Accordingly, absent a reopening of the Alt Reg proceeding, the Order in that case makes it clear that SBC Illinois should continue to use the existing methodology to determine its OOS>24 performance and any penalties required under the service quality provisions of that Plan. Alt Reg Order at 200. By arguing that the amendments to Part 730 adopted in this proceeding require a change in the method of calculating compliance with the OOS>24 hours standard for purposes of the Alt Reg penalty, it is CUB/AG, not SBC Illinois, which is collaterally attacking the Alt Reg Order.

In its Application for Rehearing and Motion, SBC Illinois accurately predicted that certain parties might take the position expressed by CUB/AG in its Response. Accordingly, SBC Illinois requested that, at a minimum, the Commission should grant rehearing for the purpose of confirming that the new OOS>24 calculation method adopted in this proceeding does not apply to the calculation of OOS>24 performed for purposes of the Alt Reg Order penalties. (App. For Rhg., pp. 13-14).<sup>2</sup>

Even assuming that the Commission were to adopt CUB/AG's interpretation of the Alt Reg Order (and it should not), that does not make the Motion for Stay a "collateral attack" on the Alt Reg Order. In its Application for Rehearing, SBC Illinois is not requesting that the Commission amend the Alt Reg Order. Rather, SBC Illinois is requesting that the Commission reconsider its decision to adopt the OOS>24 calculation method proposed by CUB/AG for the first time on brief rather than Staff Method A. In support of its request, SBC Illinois has pointed out that the decision to adopt the

---

<sup>2</sup> In the SBC/Ameritech Merger Order, the Commission imposed a separate condition under which SBC Illinois must make a \$30 million one-time credit to customers in any year in which it failed to meet the OOS>24 standard. As discussed by SBC Illinois in its Application for Rehearing (pp. 11-12), the Merger Order makes it absolutely clear that SBC Illinois is to measure compliance with OOS>24 benchmark "in the same manner as it was measuring compliance at the time that the merger was approved." Merger Order, p. 24. Thus, SBC Illinois' OOS>24 performance for purposes of the Merger Order should continue to be calculated using the existing methodology, and not the new methodology adopted in this proceeding, a conclusion that was not (and legally could not be) altered by the Alt Reg Order's incorporation of the Merger Order penalty into the Alt Reg Plan. CUB/AG do not expressly take issue with this conclusion. To avoid any doubt on this point, however, the Commission should also confirm on rehearing that

CUB/AG method is unsupported by adequate findings of fact, unsupported by substantial evidence in the record and improperly changes the OOS>24 benchmark, among other errors. In its Motion for Stay, SBC Illinois is asking that the Commission delay enforcement of the new calculation methodology, at least as it may potentially relate to the Alt Reg Order penalties applicable to SBC Illinois, pending consideration of, and final action on, the Application for Rehearing and any rehearing proceeding. The Motion for Stay demonstrates that application of the new rule could have a potentially significant adverse impact on SBC Illinois, particularly if the new rule is deemed to apply to the Alt Reg Plan.

In sum, SBC Illinois' Motion for Stay is not a "collateral attack" on the Alt Reg Order. Rather, it is a request that the Commission maintain the status quo pending full consideration and resolution of the issues raised by SBC Illinois regarding the new rule, in order to avoid potentially irreparable harm to SBC Illinois in the event that SBC Illinois ultimately prevails on the merits.

**B. CUB/AG'S ARGUMENTS REGARDING THE MERITS OF SBC ILLINOIS' APPLICATION FOR REHEARING DO NOT JUSTIFY DENYING SBC ILLINOIS' REQUEST FOR A STAY**

At pages 4 through 9 of its Response, CUB/AG presents arguments purporting to address the merits of SBC Illinois' request that the Commission reconsider its decision to adopt CUB/AG's method of calculating OOS>24 hours, rather than the method proposed by Staff. In deciding whether to grant SBC Illinois' request for a stay, however, the Commission need not find that SBC Illinois will succeed on the merits with respect to the relief requested in the Application for Rehearing (although the Application supports such a finding). Indeed, Section 10-113 does not establish any specific standard for the Commission to apply in considering a request for a stay. Rather, that Section gives the

---

the new OOS>24 calculation method adopted in this proceeding does not apply for purposes of the Merger Order penalties and extend the stay to those penalties as well as to the separate Alt Reg Order penalties.

Commission broad discretion to grant a stay “in such cases and upon such terms as the Commission may by order direct.” 220 ILCS 5/10-113.

For all the reasons discussed in the Application for Rehearing and Motion, there is a sufficient likelihood of success on the merits to warrant a stay, particularly given the significant harm to carriers (and SBC Illinois in particular) that may result from the challenged aspects of amendments to Section 730.535. On the other hand, customers will not be disadvantaged if a stay is granted. As previously discussed, SBC Illinois agrees to Staff’s recommendations that (1) SBC Illinois continue to report its compliance with the OOS>24 standard under both the existing methodology and the CUB/AG methodology pending rehearing; and (2) there be a true-up with respect to any penalties that would have accrued but for the stay in the event that the Commission ultimately denies the relief requested by SBC Illinois in its Application for Rehearing. Accordingly, the Commission can, and should, exercise its discretion to grant a stay.

In any event, CUB/AG’s arguments in support of its position on the merits are unsupported. CUB/AG suggests, for example, that the method that SBC Illinois has been using to calculate compliance with the OOS>24 hours standard is incorrect and that SBC Illinois is seeking to “perpetuate a practice that has allowed SBC to show better OOS>24 hours performance than other LECs which have been reporting OOS>24 hours by accurately counting emergency repairs as timely only when they are in fact repaired within 24 hours.” (CUB/AG Response, pp. 5-6) (emphasis in original). In support of this assertion, CUB/AG cites the direct testimony of Verizon witness Karen Boswell. (Id., citing Verizon Ex. 1.0). As Ms. Boswell explained, however, the calculation method ascribed by CUB/AG to Verizon was a very conservative method which Verizon had adopted for internal reporting purposes only and did not take advantage of the provision of the existing rule which expressly excludes from the



24 hour requirement “service interruptions . . . caused by emergency situations or natural disasters affecting a large number of customers.” 83 Ill. Admin. Code Section 730.535. (Verizon Ex. 1.0, pp. 9-10). By comparison, the method SBC Illinois has used to calculate compliance with the OOS>24 standard does take advantage of the existing emergency exclusion. CUB/AG cites no evidence that the calculation method used by SBC Illinois is inconsistent with the method used by other carriers which take the emergency exclusion into account.<sup>3</sup>

In any event, regardless of what other carriers may do, the method used by SBC Illinois does correctly account for the emergency exclusion, a fact which is confirmed by the Commission’s reaffirmation of that method in the Alt Reg Order. Again, by arguing that SBC Illinois’ method of accounting for emergency situations (and the method reflected in Staff Method A) “distort[s] its performance report,” CUB/AG is collaterally attacking the Alt Reg Order’s finding.

CUB/AG also complains that Staff Method A allows SBC Illinois “to repair fewer outages subject to the 24 hours requirement in any given month by counting the excluded repairs as if they were returned to service in time.” (CUB/AG Response, p. 8). As explained in SBC Illinois’ Application for Rehearing, however, events that qualify for exclusion from the 24 hour requirement should be counted as having been timely resolved notwithstanding the fact that they are not resolved within 24 hours – that is why they are excluded from the 24 hour requirement. (App. For Rhg., pp. 6-7). Indeed, even under the CUB/AG method approved by the Commission, these events are excluded from the numerator, which is intended to represent the number of outages that were not resolved in a timely manner.

---

<sup>3</sup> CUB/AG witness TerKeurst asserted that Citizens Telecommunications Company of Illinois (“Citizens”), like Verizon, “reported that they do not exclude emergency situations at all.” (CUB/AG Ex. 1.0, p. 18). In his rebuttal testimony, however, Citizens’ witness testified that Ms. TerKeurst was mistaken. (Citizens Ex. 2.0, pp. 3-4). Citizens also fully supported the adoption of Staff Method A for calculating OOS>24. (Id., pp. 4-5).

The issue, therefore, is not whether the excluded out-of-service events should be treated as having been resolved in a “timely” manner – they should. The issue is whether the excluded events should be treated as having actually occurred and added to the Company’s workload. The answer to that question is yes and, therefore, the excluded events should not be removed from the denominator of the OOS>24 calculation. By removing those events from the denominator, the CUB/AG method improperly treats those events as if they never occurred. As a result, the CUB/AG method overstates the percentage of out-of-service troubles that are not resolved in a timely manner.

As SBC Illinois pointed out, the CUB/AG method would effectively penalize carriers for using available resources to repair all out-of-service conditions, including both emergencies and non-emergencies, as promptly as possible. (App. For Rhg., p. 6; Motion for Stay, pp. 7-8). CUB/AG argues that this point is a “red herring” because the “only incentive SBC has to repair excluded outages under either its calculation or the mandated calculation [i.e., the CUB/AG method] is the incentive to provide quality service to its customers.” (CUB/AG Response, p. 8). CUB/AG’s argument completely misses the point. By removing emergencies and other excluded out-of-service conditions from the denominator, the CUB/AG method fails to give carriers any credit for devoting portions of their finite manpower and resources to resolving those conditions. As a result, the CUB/AG method puts a premium on a carrier’s decision to give the highest priority in all circumstances to addressing non-emergency outages capable of being resolved within 24 hours. As explained by Citizens witness

Ruhland:

Removing “emergency situations” from both the numerator and denominator in the formula as proposed by CUB/AG would create a situation in which a company solely concerned about meeting the 95% restoration standard would have a performance incentive to defer responding to emergency situations within 24 hours and to instead direct resources at customers with service outages caused by events other than an emergency situation. Citizens believes that

emergency situations should be in the OSS calculation as contemplated by “Calculation A” in Staff’s proposed language for part 730.535.

(Citizens Ex. 2.0, p. 4).

Finally, CUB/AG’s suggestion that the CUB/AG method adopted by the Commission was based on record evidence (Response, pp. 4-5) is unsupported. As discussed by SBC Illinois in its Application for Rehearing (pp. 3-4), that method was proposed by CUB/AG for the first time in its post-hearing briefs and was unsupported by the testimony of any witness, including CUB/AG witness TerKeurst. Rather, Ms. TerKeurst proposed the adoption of Staff Alternative Method B as the official reporting method. (Compare CUB/AG Br., pp. 4-11 with TerKeurst; CUB/AG Ex. 1.0, pp. 17-20; TerKeurst, CUB/AG Ex. 3.0, pp. 2-7). While Staff Alternative Method B improperly removes emergencies from the denominator, it does not (unlike the CUB/AG method) remove out-of-service events covered by the No Access, Later Appointments and Customer Negligence exclusions from the denominator. (App. For Rhg., pp. 4-5). CUB/AG does not dispute these facts. As SBC Illinois discussed in its Application for Rehearing (pp. 4-5), it was improper for the Commission to adopt a proposed rule for which there was literally no supporting evidence. 220 ILCS 5/10-201(e)(iv)(A).

#### **IV. CONCLUSION**

For the reasons discussed, the Commission should grant SBC Illinois’ Motion for Stay, subject to the limitations recommended by Staff and accepted by SBC Illinois herein.

Respectfully submitted,

SBC ILLINOIS

---

One of Its Attorneys

Karl B. Anderson  
SBC Illinois  
225 West Randolph Street, Floor 25D  
Chicago, IL 60606  
312/727-2928

**CERTIFICATE OF SERVICE**

I, Karl B. Anderson, an attorney, certify that a copy of the foregoing **REPLY OF SBC  
ILLINOIS IN SUPPORT OF MOTION FOR STAY** was served on the following parties by U.S.  
Mail and/or electronic transmission on November 19, 2003.

\_\_\_\_\_  
Karl B. Anderson

## SERVICE LIST FOR DOCKET 00-0596

Michael L. Wallace  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701  
[mwallace@icc.state.il.us](mailto:mwallace@icc.state.il.us)

Judith D. Argentieri  
AT&T Communications  
804 West University Avenue  
Champaign, IL 61820  
[judith.argentieri@attws.com](mailto:judith.argentieri@attws.com)

Katherine E. Barker  
Kelley Drye & Warren  
1200 19<sup>th</sup> Street NW  
Suite 500  
Washington, DC 20036  
[kbarker@kelleydrye.com](mailto:kbarker@kelleydrye.com)

Scott Bohler, Kevin Saville  
Citizens Communications Company  
2378 Wilshire Blvd.  
Mound, MN 55364  
[sbohler@czn.com](mailto:sbohler@czn.com)  
[ksaville@czn.com](mailto:ksaville@czn.com)

Sean Brady  
Illinois Commerce Commission  
160 North LaSalle, Suite C-800  
Chicago, IL 60606  
[sbrady@icc.state.il.us](mailto:sbrady@icc.state.il.us)

Lee Ann Conti  
Citizens Telephone Company of  
Illinois  
1000 Internationale Parkway  
Woodridge, IL 60517  
[lconti@czn.com](mailto:lconti@czn.com)

Karen Coppa, Jack Pace, Conrad  
Reddick  
City of Chicago  
30 North LaSalle Street  
Suite 900  
Chicago, IL 60602  
[kcoppa@cityofchicago.org](mailto:kcoppa@cityofchicago.org)  
[jp pace@ci.chi.il.us](mailto:jp pace@ci.chi.il.us)  
[creddick@ci.chi.il.us](mailto:creddick@ci.chi.il.us)

Matt C. Deering, Dennis K. Muncy,  
Joseph D. Murphy  
Meyer Capel  
306 West Church Street  
PO Box 6750  
Champaign IL 61826  
[mdeering@meyercapel.com](mailto:mdeering@meyercapel.com)  
[dmuncy@meyercapel.com](mailto:dmuncy@meyercapel.com)  
[jmurphy@meyercapel.com](mailto:jmurphy@meyercapel.com)

Joseph E. Donovan, Henry T. Kelly  
Kelley Drye & Warren  
333 West Wacker Drive, 26<sup>th</sup> Floor  
Chicago, IL 60606  
[jdonovan@kelleydrye.com](mailto:jdonovan@kelleydrye.com)  
[hkelly@kelleydrye.com](mailto:hkelly@kelleydrye.com)

Douglas A. Dougherty  
Illinois Telecommunications  
Association  
300 East Monroe Street  
Suite 306  
Springfield, IL 62705  
[ddougherty@ameritech.net](mailto:ddougherty@ameritech.net)

Neil F. Flynn  
IBEW  
1035 South Second Street  
Springfield, IL 62704  
[nflynn@allcirco.com](mailto:nflynn@allcirco.com)

Troy A. Fodor  
Troy A. Fodor, P.C.  
913 South Sixth Street  
Springfield, IL 62703  
[troyafodor@aol.com](mailto:troyafodor@aol.com)

Cheryl Urbanski Hamill, John Gomoll  
AT&T Communications  
222 West Adams Street, Floor 15  
Chicago, IL 60606  
[chamill@att.com](mailto:chamill@att.com)  
[gomolj@att.com](mailto:gomolj@att.com)

Michael Guerra, John E. Rooney  
Sonnenschein Nath & Rosenthal  
800 Sears Tower  
233 South Wacker Drive  
Chicago, IL 60606  
[mguerra@sonnenschein.com](mailto:mguerra@sonnenschein.com)  
[jrooney@sonnenschein.com](mailto:jrooney@sonnenschein.com)

William A. Haas  
McLeodUSA  
6500 C Street, SW  
P. O. Box 3177  
Cedar Rapids, IA 52406-3177  
[whaas@mcleodusa.com](mailto:whaas@mcleodusa.com)

Elizabeth Howland  
Allegiance Telecom  
1950 Stemmons Freeway  
Dallas, TX 75207  
[ehowland@algx.com](mailto:ehowland@algx.com)

Margaret T. Kelly  
Illinois Commerce Commission  
160 North LaSalle, Suite C-800  
Chicago, IL 60606  
[mkelly@icc.state.il.us](mailto:mkelly@icc.state.il.us)

Latrice Kirkland, Owen E. MacBride  
Schiff Hardin & Waite  
233 South Wacker Drive  
6600 Sears Tower  
Chicago, IL 60606  
[lkirkland@schiffhardin.com](mailto:lkirkland@schiffhardin.com)  
[omacbride@schiffhardin.com](mailto:omacbride@schiffhardin.com)

Clyde Kurlander  
Lindenbaum Coffman & Kurlander  
Three First National Bank  
70 West Madison Street  
Suite 2315  
Chicago, IL 60602  
[ckatlantis@aol.com](mailto:ckatlantis@aol.com)

Brett D. Leopold  
Sprint Communications  
6450 Sprint Parkway  
Overland Park, KS 66251  
[brett.d.leopold@mail.sprint.mail](mailto:brett.d.leopold@mail.sprint.mail)

Julie Lucas Soderman  
Citizens Utility Board  
208 South LaSalle Street  
Suite 1760  
Chicago, IL 60604  
[julucas@cuboard.org](mailto:julucas@cuboard.org)

Samuel S. McClerren  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701  
[smcclerr@icc.state.il.us](mailto:smcclerr@icc.state.il.us)

David W. McGann  
Mpower Communications  
1701 West Golf Road  
Tower 2, 5<sup>th</sup> Floor  
Rolling Meadows, IL 60008  
[dmcgann@mpowercom.com](mailto:dmcgann@mpowercom.com)

Marcus Y. Milam  
AT&T Communications  
651 Gateway Blvd.  
Suite 1500  
South San Francisco, CA 94080  
[marcus.milam@attws-sf.com](mailto:marcus.milam@attws-sf.com)

Nora A. Naughton  
Illinois Commerce Commission  
160 North LaSalle, Suite C-800  
Chicago, IL 60606  
[nnaughto@icc.state.il.us](mailto:nnaughto@icc.state.il.us)

Patrick Phipps  
Illinois Commerce Commission  
527 East Capital Avenue  
Springfield, IL 62701  
[pphipps@icc.state.il.us](mailto:ppphipps@icc.state.il.us)

Carol P. Pomponio  
XO Illinois, Inc.  
303 East Wacker  
Concourse Level  
Chicago, IL 60601  
[cpomponio@xo.com](mailto:cpomponio@xo.com)

Thomas Rowland  
Rowland & Moore  
77 West Wacker, Suite 4600  
Chicago, IL 60601  
[tom@telecomreg.com](mailto:tom@telecomreg.com)

David O. Rudd  
Gallatin River Communications  
625 South Second Street  
Suite 103-D  
Springfield, IL 62704  
[dorudd@aol.com](mailto:dorudd@aol.com)

Susan L. Satter  
Illinois Attorney General's Office  
100 West Randolph St., 11th Floor  
Chicago, IL 60601  
[ssatter@atg.state.il.us](mailto:ssatter@atg.state.il.us)

Kristin M. Smoot  
21<sup>st</sup> Century Telecom  
121 South 17<sup>th</sup> Street  
Mattoon, IL 61938  
[kristen.smoot@rcn.net](mailto:kristen.smoot@rcn.net)

Darrell S. Townsley  
WorldCom  
205 North Michigan, 11th Floor  
Chicago, IL 60601  
[darrell.townsley@wcom.com](mailto:darrell.townsley@wcom.com)

A. Randall Vogelzang  
Verizon North/Verizon South  
600 Hidden Ridge  
Irving, TX 75038  
[randy.vogelzang@verizon.com](mailto:randy.vogelzang@verizon.com)

John F. Ward, Jr.  
O'Keefe Ashenden Lyons & Ward  
30 North LaSalle Street, Suite 4100  
Chicago, IL 60602  
[johnward@okeefe-law.com](mailto:johnward@okeefe-law.com)

Nancy Wells  
AT&T Communications  
913 South Sixth Street, Floor 3  
Springfield, IL 62703  
[njwells@att.com](mailto:njwells@att.com)

David Woodsmall  
Mpower Communications  
175 Sully's Trail  
Suite 300  
Pittsford, NY 14534  
[dwoodsmall@mpowercom.com](mailto:dwoodsmall@mpowercom.com)